

U.S. Serial No. 10/751,607

Responsive to final Office Action mailed August 14, 2006

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REMARKS

1. After entry of this paper, claims 1, 2, 4-10, and 12 are pending in the application. Reconsideration of this application is respectfully requested.

2. Claims 1, 2 and 4-12 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement, because the limitation "non-circular" which modifies the term "pads," adds new matter. This rejection is respectfully traversed.

Although the original disclosure does not literally describe the plurality of pads as "non-circular," the present application still describes multiple embodiments of non-circular pads. In particular, the application discloses various non-circular pads in the exemplary embodiments of FIGS. 6-12, the descriptions of which are provided in the written disclosure. Certainly one of ordinary skill in the art would recognize that the embodiments of the pads shown in FIGS. 6-12 and described in the written disclosure are non-circular, and therefore, recognize that the Applicants were in possession of the subject matter of the claims at the time of filing. Accordingly, the limitation "a plurality of non-circular pads" is supported in the originally filed written description, and does not add new matter.

The Examiner also objects to the term "non-circular" because it is a negative limitation. MPEP 2173.05(i) states that there is nothing inherently ambiguous or uncertain about negative limitations.

In view of the foregoing, withdrawal of this rejection is respectfully requested.

U.S. Serial No. 10/751,607
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3. The Office Action has been made final by the Examiner. The Applicants respectfully submit that the final rejection is premature and therefore, request withdrawal of same.

37 CFR 1.104 (b) states:

The examiner's action will be complete as to all matters, except that in appropriate circumstances, such as misjoinder of invention, fundamental defects in the application, and the like, the action of the examiner may be limited to such matters before further action is made.

The present Office Action is incomplete because the limitation "non-circular" added to the claims in the paper filed on June 5, 2006, has not been afforded any patentable weight by the Examiner in the prior art rejections made in the Office Action (see paragraph 4 of the Office Action). Thus, the Office Action is not complete with respect to the cited prior art. MPEP 702.01 only allows for incomplete examination of applications when the application includes an informal or insufficient disclosure, and states that a reasonable search should be made of the invention so far as it can be understood from the disclosure and claims.

Since the Examiner failed to provide a complete Office Action, the finality of this Office Action is premature. In view of the foregoing, withdrawal of the final rejection is respectfully requested.

4. Claim 11 stands objected to under 37 CFR 1.75 as being a substantial duplicate of claim 4.

This paper cancels claim 11. Accordingly, withdrawal of this objection is respectfully requested.

U.S. Serial No. 10/751,607

Responsive to final Office Action mailed August 14, 2006

5. Claims 1, 2, 4, 7, and 11 stand finally rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 4,164,678 to Biazzo et al. (Biazzo).

Independent claim 1 recites:

An electrode for a plasma display panel, comprising:

a plurality of bus line conductors having a first width; and

a plurality of non-circular pads, each of the pads having a first section having a maximum width that is greater than the first width, each of the pads having a second section that is narrower than the maximum width, the second section of each of the pads intersecting a corresponding one of the bus line conductors.

Claim 11 has been canceled.

Biazzo does not expressly or inherently describe, teach or suggest an electrode comprising inter alia, a plurality of non-circular pads. Biazzo describes and shows a circular or round pad and states in column 6, lines 6-10:

Pad *ij* is illustratively round. This ensures that discharges occur at corresponding points on each pad since discharges will occur where the pad/column conductor gap is the smallest.

Hence, claim 1 is clearly allowable over Biazzo.

With respect to claims 2, 4, and 7, which depend directly from claim 1 and recite additional features of the invention, these claims are clearly allowable over Biazzo for at least the same reasons as stated for claim 1.

In view of the foregoing, withdrawal of this rejection is respectfully urged.

U.S. Serial No. 10/751,607
Responsive to final Office Action mailed August 14, 2006

6. Claims 1, 2, 4, 7, 11, and 12 stand finally rejected under 35 U.S.C. 102(b) as being anticipated by Applicants' admitted Prior Art Figure 5 (Figure 5).

Figure 5 does not expressly or inherently describe, teach or suggest an electrode comprising *inter alia*, a plurality of non-circular pads, as required by claims 1, 2, 4, 7, and 12. Hence, claims 1, 2, 4, 7, and 12 are clearly allowable over Figure 5.

In view of the foregoing, withdrawal of this rejection is respectfully urged.

7. Claims 5, 6, and 8-10 stand finally rejected under 35 U.S.C. 103(a) as being unpatentable over Biazzo as applied to claim 1. In support of this rejection, the Examiner argues that the pad shapes are design alternatives.

Claims 5, 6, and 8-10 depend from claim 1 and therefore call for "a plurality of non-circular pads."

As indicated above, Biazzo does not expressly or inherently describe, teach or suggest an electrode comprising *inter alia*, a plurality of non-circular pads.

In addition, Biazzo teaches away from non-circular pads, stating that the pads should be round to ensure that discharges occur at corresponding points on each pad (see column 6, lines 6-10 of Biazzo). Therefore, it would not have been obvious to one of ordinary skill in the art at the time of invention, to modify the round pads of Biazzo to be non-circular, as claimed.

For at least these reasons, claims 5, 6, and 8-10 are clearly allowable over Biazzo.

In view of the foregoing, withdrawal of this rejection is respectfully urged.

U.S. Serial No. 10/751,607
Responsive to final Office Action mailed August 14, 2006

8. Favorable reconsideration of this application is respectfully requested as it is believed that all outstanding issues have been addressed herein and, further, that claims 1, 2, 4-10, and 12 are in condition for allowance. Should there be any questions or matters whose resolution may be advanced by a telephone call, the examiner is cordially invited to contact Applicants' undersigned attorney at his number listed below.

7. The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17, which are associated with this paper, or credit any overpayment to Deposit Account No. 04-1679.

Respectfully submitted,



PAUL A. SCHWARZ
Registration No. 37,577
Attorney for Applicants

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DUANE MORRIS LLP
P.O. Box 5203
Princeton, NJ 08543-5203
Direct Telephone: 609.631.2446
Facsimile: 609.631.2401
paschwarz@duanemorris.com